



Appeal Decision

Site visit made on 29 May 2025

by **A Wright BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 June 2025

Appeal Ref: APP/X2220/W/24/3353391

Barnsole House, Barnsole Road, Staple, Kent CT3 1LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Rex Cadman against the decision of Dover District Council.
 - The application Ref is 24/00188.
 - The development proposed is the erection of a detached dwelling for staff accommodation and creation of parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council issued its decision, in October 2024 it adopted the Dover District Local Plan to 2040 (LP). Its reasons for refusal refer to policies in the Core Strategy and the Draft District Local Plan, but policies in the LP now supersede them. The parties have had the opportunity to address these changes in policy within their appeal submissions and I have determined the appeal based on the adopted policies in the LP.
3. The National Planning Policy Framework (the Framework) was revised in December 2024. I invited the parties to consider whether the revised Framework has relevance to this appeal and have taken account of the responses received in my decision.

Main Issues

4. The main issues in this appeal are:
 - whether the site would be a suitable location for housing, having regard to the provisions of the development plan;
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposal would provide sufficient biodiversity net gain.

Reasons

Suitability of the location

5. The appeal site comprises part of a field within the countryside accessed via a track onto Mill Road, outside the Barnsole settlement boundary identified in the LP. The defined settlement includes the appellant's house and commercial buildings, a

public house and dwellings including four allowed on appeal in 2017¹, which form a cluster of development along Barnsole Road. It also encompasses houses south of Mill Lane, including a recent residential scheme², which continues development south along the road. The red line site boundary and the small group of buildings on the opposite side of Mill Road are some distance from the defined settlement.

6. Policy SP4 of the LP allows minor residential development or infilling within the settlement boundaries of Barnsole but this does not apply to the proposed scheme as it would be located away from the settlement. The policy only permits new dwellings in this part of the countryside in certain circumstances, including where there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.
7. The appellant indicates that the wider land in his ownership is used for storing and restoring valuable military memorabilia. It is stated that the proposed dwelling would enable a staff member, the appellant's son and his family, to live on the site to provide additional security and enable mutual care and support of family members, but it is not indicated how this would be controlled. There is already a house on the land owned by the appellant, and further security could be achieved by technological and physical measures. Thus, from the information before me, I cannot be satisfied that there is an essential need for a rural worker to live permanently in this location.
8. No case is made that the proposal would meet any other criteria in Policy SP4 allowing a new dwelling in this location.
9. Therefore, I conclude that the site would not be a suitable location for housing, having regard to the provisions of the development plan. This would conflict with Policy SP4 of the LP which sets out the approach for residential windfall development.

Character and appearance

10. The site is a grassed area within a field bounded by trees and hedgerows in a rural location. It is within the Staple Farmlands Landscape Character Area (LCA) in the Council's Landscape Character Assessment 2020 which largely comprises gently undulating farmland. The field is mostly flat and more visually associated with the open agricultural landscape to the north and west than the buildings within the settlement of Barnsole to the east. A public right of way runs through the land to the north.
11. The proposal is for a large two storey building with single storey wings and associated parking areas and driveway, using the existing access onto Mill Road. It would include elements of a barn style design, including black weatherboarded walls, grey slate tiled roofs, and a half-hipped roof form on the higher part of the structure. Nevertheless, due to their hipped roof forms, sizeable flue and large expanses of front glazing, the one storey wings at each end would appear as incongruous adjuncts to the main two storey building.
12. The appeal scheme would include a large glazed front entrance and landing projecting forward of the main two storey building and some images of similar design features on other buildings have been provided. However, in this case, the

¹ Planning appeal ref APP/X2220/W/16/3157696

² Planning application ref 19/01362

extent of glazing, Juliet balcony and forward projection would fail to reflect a typical wooden Kentish barn, including the local examples given by the appellant.

13. The side wings, amount of glazing and sizeable front glazed projection would give the building a domestic rather than a barn-like appearance, which together with the different heights and roof forms would appear discordant in its open, rural context. The extent of the new concrete driveway and hardstanding, vehicle movements, creation of a garden with its associated domestic paraphernalia, and light spill from the extensive openings and around the new building would exacerbate the harmful impact on the undeveloped landscape character. Whilst the proposed scheme would be partly screened by trees and hedges, especially during the spring and summer months when they are in leaf, it would appear alien in glimpsed views from Mill Road and the public right of way to the north.
14. The appellant indicates that the Council did not take issue with the design of a previous proposed dwelling at Barnsole House³. However, as I have limited information on the location and design of the previous proposal, I am unable to compare it with the appeal scheme.
15. Consequently, I conclude that the proposed development would harm the character and appearance of the area. This would be contrary to Policies PM1 and NE2 of the LP where they require proposals to demonstrate an appropriate design response, and respect and enhance character, including having regard to the LCA.

Biodiversity

16. LP Policy NE1 requires developments to provide a minimum of 10% biodiversity net gain (BNG), with proposals being accompanied by sufficient information to satisfy the Council that this requirement can be successfully discharged.
17. No information on BNG has been provided in this instance. The Council states that had the proposal otherwise been acceptable, it would have sought a biodiversity enhancement scheme from the appellant. It accepts that there would appear to be scope for enhancements on land owned by the appellant. As there are extensive areas of open land around the site within the appellant's control, I agree that adequate BNG could be provided. Thus, in this case the biodiversity enhancement could be secured through a suitably worded condition which the appellant is willing to accept.
18. Therefore, I conclude that there is land and a mechanism available for the proposal to provide sufficient BNG. This would accord with Policy NE1 of the LP.

Other Matters

19. The Parish Council supports the proposal and there were no objections from any neighbours or the Kent Public Rights of Way team. Nevertheless, this does not alter my conclusions that the site would be an unsuitable location for housing and would harm the character and appearance of the area.
20. The Council did not find harm or development plan conflict in relation to several other matters, including drainage, access and parking, living conditions and carbon reduction. Nevertheless, even if I were to agree with the Council on these points,

³ Planning application ref 21/00590

the absence of harm would be a neutral matter which would not carry weight in favour of the proposed scheme.

21. The proposal would be likely to have a significant effect, either alone or in combination, on the Thanet Coast and Sandwich Bay Special Protection Area and Ramsar site due to its location within 9km of them. However, notwithstanding the unilateral undertaking to contribute towards mitigation measures in the Strategic Access Mitigation and Monitoring Strategy, given my conclusion below there is no need to consider the implications of the proposal on the protected sites because the scheme is unacceptable for other reasons.

Conclusion

22. For the reasons above, the proposal would conflict with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

A Wright

INSPECTOR